

S.B. Criminal Misc. Bail Application No.5147/2006

Date : 15.11.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Vinod Sharma for the applicant.

Mr. D.D. Kalla for NCB.

I have heard learned counsel for the applicant as well as the learned counsel appearing for the NCB and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that the alleged contraband material recovered from the accused applicant is below commercial quantity and provisions of Section 37 of the NDPS Act are not attracted. He submits that the applicant is in jail and trial is likely to take time, therefore, he may be enlarged on bail.

On the other hand, learned counsel appearing on behalf of the NCB has opposed the bail application.

I have considered the submissions made before me

and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Tulsi Ram S/o Shyochand shall be released on bail in FIR No.VIII(10) 6/N.C.B./J.Z.U./06 of Narcotics Control Bureau, Jodhpur, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.